

REMARKS

I. Claim Status

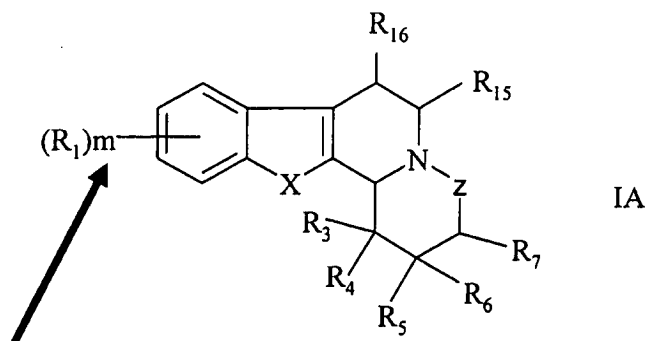
Claims 40-47 are currently pending and stand rejected. Claims 48 and 49 have been canceled herein without prejudice. Claim 40 has been amended herein to delete the phrase "R₇ and R₈ are attached to the carbon ring atoms, which are adjacent." That amendment does not add new matter.

II. 35 U.S.C. § 112 Rejection

Indefiniteness Rejection

The Office rejected claims 40-49 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Final Office Action at 3. Without in any way conceding the propriety of that rejection and solely in an effort to advance prosecution, Applicants have deleted the phrase "R₇ and R₈ are attached to the carbon ring atoms, which are adjacent."

With respect to the Examiner's assertion that "m is not present in the claims," Applicants respectfully point out that m defines the number of R₁ substituents in Formula IA.



And the second to last line of claim 40 recites that m is 0 to 2.

In view of the amendment and the presence of "m" in the claims, Applicants respectfully request that the Examiner enter the amendment, withdraw the rejection, and allow pending claims 40-47.

III. Conclusion

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 40-47 in condition for allowance. Applicants submit that the proposed amendments of claims 40-47 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, the Amendment should allow for immediate action by the Examiner.

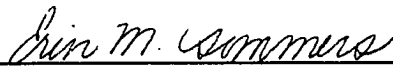
Applicants request the entry of this Amendment, the Examiner's reconsideration of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: May 13, 2009

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